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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,484	01/29/2001	Daniel Pelletier	US010008	1681

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER
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AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/772,484	<b>Applicant(s)</b> PELLETIER, DANIEL	
	<b>Examiner</b> Yogesh K Aggarwal	<b>Art Unit</b> 2615	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 and 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Blackshear (US Patent # 5,111,288).

[Claim 1]

Blackshear teaches a method of operating a camera system (figures 7-9) comprising the steps of providing a camera system (figure 3) comprising a camera (30) and a central processing unit (61, col. 5 lines 14-20), capturing a view of a subject with the camera (col. 4 line 63 – col. 5 line 3), determining the cinematographic parameters of the view (col. 6 lines 6-22, angle of view and dwell times as taught in Applicant's specification are read as cinematographic parameters), comparing the determined cinematographic parameters to reference cinematographic parameters formulating recommended camera operation based on the comparison of the determined cinematographic parameters to the reference cinematographic parameters and indicating the recommended camera operation to the user (col. 9 line 26-col. 10 line 18). Blackshear also teaches that the camera system and the CPU can be selectively configured to operate either in an

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EPTZ or a MPTZ mechanism for controlling pan, tilt or zoom (col. 10 lines 19-40, figure 9, Blackshear teaches that desired scene parameters are adjusted by the operator and saved in a vector targeting file (col. 8 lines 35-36). During automatic surveillance mode the computer (61) reads this vector targeting file electronically and adjusts the pan, tilt and zoom for the camera based on the electronic reading of the vector targeting file and therefore can be read as EPTZ mechanism, col. 9 lines 46-49).

[Claim 2]

Blackshear teaches the step of effecting camera operation in accordance with the recommended camera action by manually overriding the automatic operations (col. 10 line 19-22).

[Claim 3]

Blackshear teaches wherein the providing step further comprises the step of inputting data defining the reference cinematographic parameters into the central processor (col. 8 lines 22-28).

[Claim 4]

Blackshear teaches wherein the capturing step comprises the step of generating video data defining the view (col. 4 line 63-col. 5 line 3).

[Claim 5]

Blackshear teaches the capturing step further comprising the step of analyzing the video data and comparing it to the reference cinematographic parameters (col. 9 line 49-col. 10 line 10).

[Claim 6]

Blackshear teaches wherein the determining step includes the step of measuring the length of time during which the view remains the same (col. 8 lines 28-30).

[Claim 9]

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Blackshear further teaches the step of comparing the determined length of time to a predetermined length of time (col. 8 lines 40-45)

[Claim 10]

Blackshear further teaches the step of formulating recommended camera operation so as to capture a new view if the determined length of time exceeds the predetermined length of time (col.10 lines 5-18, moving from one preshot to another preshot after dwelling for a predetermined amount of time is read as capturing a new view if the determined length of time exceeds the predetermined length of time).

[Claim 11]

Blackshear teaches wherein the captured view has an angle and the determined step comprises the step of determining the angle of the view (col. 9 lines 12-20)

[Claim 12]

Blackshear teaches wherein the comparing step comprises comparing the determined angle of the captured view to a reference angle defined by the reference cinematographic parameters (col. 9 lines 46-53, pan arc is read as an angle of captured view).

[Claim 13]

Blackshear teaches that if a command is entered or an alarm is activated the camera is moved at a maximum velocity and surveys the area according to a new tilt position (col. 10 lines 19-31).

[Claims 14, 15]

Claims 14-15 are apparatus claims corresponding to method claims 1-2 respectively. Therefore they have been analyzed and rejected based upon claims 1-2.

[Claim 16]

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Blackshear also teaches an onboard computer processor (61) for storing and reading the code for the method implemented in claim 1 (col. 5 lines 27-35).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackshear (US Patent # 5,111,288) in view of Suzuki (US Patent # 5,831,670).

[Claim 7]

Blackshear teaches the limitations of claim 1 but fails to teach “wherein the comparing step comprises the step of determining the level of quality of the view based on the comparison between the determined cinematographic parameters and the reference cinematographic parameters”. However Suzuki teaches a comparing step comprising the step of determining the level of quality of the view based on the comparison between the determined cinematographic parameters and the reference cinematographic parameters (col. 1 lines 49-58). Therefore taking the combined teachings of Blackshear and Suzuki, it would have been obvious to one skilled in the art at the time of the invention to have been motivated to have a comparing step comprising the step of determining the level of quality of the view based on the comparison between the determined cinematographic parameters and the reference cinematographic parameters as taught by Suzuki. The benefit of doing so would be to improve the quality of image scenes if it falls below an accepted level.

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[Claim 8]

Suzuki teaches formulating recommended camera operation that effects capture of a new view if it is determined that the quality of the captured view is below a predetermined level of quality (col. 1 lines 49-58, After the warning means issues a warning, the user can effect a new view based upon the new quality parameters as shown in figures 20-26).

*Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 305-0346. The examiner can normally be reached on M-F 9:00AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA  
December 9, 2004



**TUAN HO**  
**PRIMARY EXAMINER**